

Exhibit B



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October 28, 2023

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Re: *Miller, et al. v. Arab Bank, PLC, No. 18-cv-2192 (HG)(PK)*
Pam, et al. v. Arab Bank, PLC, No. 18-cv-4670 (HG)(PK)

Dear Brett:

Thank you for your October 19, 2023, letter. Unfortunately, given the technical nature of ESI, your statements therein raise many additional questions which we have attempted to set forth fully below. We have structured this letter for your convenience by setting forth our questions beneath the corresponding part of your letter where possible.

- 1. *Microfiche.* In the mid-2000s, Arab Bank Palestine began to implement the Microfilm/Microfiche Archiving Project (the “Microfiche Project”). Due to the military activities and demonstrations during the Second Intifada, the Microfiche Project was put on hold until 2005. Only a limited number of transactions were archived using the Microfiche Project.**
1. What is the status of Arab Bank Palestine’s microfiche records relating to banking and payment transactions between 1998 and 2004?
2. Have any microfiche records been destroyed since the litigation hold in *Linde v. Arab Bank, PLC* was instituted in July 2004?
3. What was done with records that were not converted to microfiche?
4. Were any such records destroyed after July 2004?
- 2. *Email.* Email was used intermittently during the Relevant Time Period and was not used as a form of official communication. In the Palestinian Territories, the communication lines were very primitive. There was not a centralized email system.**
- A. Please answer the following questions for Arab Bank’s operations/branches in each of (1) the Palestinian Territories, (2) Jordan, and (3) Lebanon:**

 1. During the relevant period, what e-mail server software did:

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- a. Arab Bank Palestine use for processing e-mails associated with the “arabbank.ps” domain name?
- b. Arab Bank Jordan use for processing e-mails associated with the “arabbank.com” and “arabbank.com.jo” domain names?
- c. Arab Bank Lebanon use for processing e-mails associated with the “arabbank.com” and “arabbank.com.lb” domain names?
2. During the relevant period, did Arab Bank Palestine’s employees use e-mails associated with any of Arab Bank Jordan’s or Arab Bank Lebanon’s domain names? (for example, “arabbank.com,” “arabbank.com.jo,” or “arabbank.com.lb”)
3. During the relevant period, did Arab Bank Palestine/Jordan/Lebanon’s employees use e-mails associated with any other corporate domain name? (for instance, “arabi-online.com”)
4. During the relevant period, did Arab Bank Palestine/Jordan/Lebanon’s employees use consumer e-mail accounts for conducting the bank’s official banking business? (including, among others, personal e-mail addresses associated with “aol.com,” “yahoo.com,” or “hotmail.com” domains)
5. During the relevant period, what server hardware and operating system did Arab Bank Palestine/Jordan/Lebanon use for hosting e-mail server software? (If Arab Bank Palestine/Jordan/Lebanon upgraded its e-mail server hardware, operating system, or e-mail software between 1998-2004, please describe each upgrade and date.)
6. Do back-ups or archives of Arab Bank Palestine/Jordan/Lebanon’s e-mail servers still exist (including back-ups or archives stored on media such as, among others, magnetic tape cartridges, optical disks, or hard drives), and if not, when were they destroyed?
7. Have any electronic mail records for employees at Arab Bank Palestine/Jordan/Lebanon been destroyed since the litigation hold in *Linde v. Arab Bank, PLC* was instituted in July 2004?

3. *SWIFT.* The SWIFT banking system was used in parallel with test keys fax-based transfers, where transfers were keyed in an internally developed system for incoming and outgoing funds transfers. This Cobol programming language-based system was internally developed and implemented in a decentralized environment.

A. Please answer the following questions regarding Arab Bank’s operations/branches in each of (1) the Palestinian Territories, (2) Jordan, and (3) Lebanon:

1. What were the names of Arab Bank Palestine/Jordan/Lebanon’s COBOL-based software application that the bank used for sending and receiving payment orders using test-keys and fax transmissions?
2. What server hardware and operating systems did Arab Bank Palestine/Jordan/Lebanon’s COBOL-based software application run on?
3. What methods did Arab Bank Palestine/Jordan/Lebanon use for creating back-ups or archives of the bank’s COBOL-based software application and its data?
4. Do back-ups or archives of Arab Bank Palestine/Jordan/Lebanon’s COBOL-based software applications still exist (including back-ups or archives stored on media such as,

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among others, magnetic tape cartridges, optical disks, or hard drives), and if not, when were they destroyed?

5. During what period did Arab Bank Palestine/Jordan/Lebanon use test-keys and fax transmissions for clearing and settling U.S. dollar-denominated funds transfers with the bank's correspondents in New York?
6. What fax numbers did Arab Bank Palestine/Jordan/Lebanon use for sending and receiving payment orders during the relevant period?
7. During the relevant period, did Arab Bank Palestine/Jordan/Lebanon use Telex for sending and receiving payment orders?
8. What methods did Arab Bank Palestine/Jordan/Lebanon use for creating back-ups or archives of the bank's SWIFT Alliance Access software application, databases and financial messaging data?
9. Do back-ups or archives of Arab Bank Palestine/Jordan/Lebanon's SWIFT Alliance Access still exist (including back-ups or archives stored on media such as, among others, magnetic tape cartridges, optical disks, or hard drives), and if not, when were they destroyed?
10. During the relevant period, did Arab Bank Palestine/Jordan/Lebanon connect to SWIFT's financial messaging network directly or via a SWIFT certified service provider? (if via a SWIFT service provider, what were the names of the service providers?)

4. *Equation. Arab Bank used a Centralized Online Real-time Environment (“CORE”) banking system called Equation acquired from Finastra (previously MISYS). Equation was implemented on an IBM mainframe at the Bank’s headquarters in Ramallah and was linked to mini servers at each of the Bank’s branches. The branch mini server was linked with dummy terminals used by the Bank’s employees for transaction processing.*

5. *Teller. Teller, an internally developed Cobol-based programming language system, was deployed in a decentralized environment on each branch mini server. Due to the poor and primitive communications lines, the linkage between the Equation Mainframe and the branches mini servers was not automated, and as such the Bank updated the Equation Mainframe at the end of day and the mini servers located in the branches at the beginning of every day using floppy discs. The transactions details, whether processed through Teller or the incoming/outgoing transfer systems, or other internally developed systems, are the same information that appears on a customer’s bank statements.*

A. Arab Bank’s Branches in the Palestinian Territories:

1. During the relevant period, what type of IBM “mainframe” hardware and operating system did Arab Bank Palestine use in its Ramallah data center for hosting the bank’s MISYS

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Equation CORE banking system? (for example, S/390, zSeries, AS/400, RS/6000, pSeries server hardware)

2. If Arab Bank Palestine upgraded its IBM “mainframe” server hardware, operating system, or MISYS Equation CORE banking software between 1998-2004, please describe each upgrade and date.
3. Has Arab Bank Palestine maintained possession of the IBM “mainframe” server hardware used for hosting the bank’s MISYS Equation CORE banking software during the relevant period, even if no longer in operation? If not, when was the bank’s IBM “mainframe” server hardware destroyed?
4. During the relevant period, what methods did Arab Bank Palestine use for creating back-ups or archives of the bank’s “mainframe” MISYS Equation CORE banking software, transactional data, and server operating system?
5. During the relevant period, where were Arab Bank Palestine’s “mainframe” server back-ups or archives stored?
6. Do back-ups or archives of Arab Bank Palestine’s “mainframe” MISYS Equation CORE banking software, transactional data, and server operating system still exist (including back-ups or archives stored on media such as, among others, magnetic tape cartridges, optical disks, or hard drives), and if not, when were they destroyed?
7. What type of IBM (or other vendor) “mini server” hardware and operating system did Arab Bank Palestine use in each of the bank’s branches?
8. If Arab Bank Palestine upgraded its “mini server” hardware, operating system, or MISYS Equation CORE banking software between 1998-2004, please describe each upgrade and date.
9. Has Arab Bank Palestine maintained possession of its branch-based “mini server” hardware used for hosting the bank’s MISYS Equation CORE banking and Teller COBOL-based software during the relevant period, even if no longer in operation? If not, when was the bank’s branch-based “mini server” hardware destroyed?
10. During the relevant period, where did Arab Bank Palestine store its branch “mini server” back-ups or archives?
11. Do back-ups or archives of Arab Bank Palestine’s “mini server” MISYS Equation CORE banking software, Teller COBOL-based software, transactional data, and server operating system, still exist (including back-ups or archives stored on media such as, among others, magnetic tape cartridges, optical disks, or hard drives), and if not, when were they destroyed?
12. Once Arab Bank Palestine established its branch data links, what network protocol did the bank use for supporting real-time transfer of data between its branch-based “mini servers” and its “mainframe” located in Ramallah? (for example, X.25, SDLC, TCP/IP)
13. Which Arab Bank Palestine systems of record does “incoming/outgoing transfer systems” refer to?
14. Which Arab Bank Palestine systems of record does “other internally developed systems” refer to?
15. During the relevant period, were *all* of the electronic source data stored in Arab Bank Palestine’s MISYS CORE banking software, Teller COBOL-based software, “incoming/outgoing transfer systems,” or “other internally developed systems” outputted

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to a respective customer's printed bank statement, or was only a subset of Arab Bank Palestine's electronic source data output to a respective customer's printed bank statement?

B. Please answer the following questions for each of Arab Bank's operations/branches in (1) Jordan and (2) Lebanon:

1. During the relevant period, what CORE banking software did Arab Bank Jordan/Lebanon use?
2. During the relevant period, what type of server hardware and operating system did Arab Bank Jordan/Lebanon use in its Amman/Beirut data centers for hosting the bank's CORE banking system?
3. If Arab Bank Jordan/Lebanon upgraded its CORE banking software, server hardware or operating systems between 1998-2004, please describe each upgrade and date.
4. Has Arab Bank Jordan/Lebanon maintained possession of their server hardware used for hosting the bank's CORE banking software during the relevant period? If not, when were the bank's server hardware destroyed?
5. During the relevant period, what methods did Arab Bank Jordan/Lebanon use for creating back-ups or archives of the bank's CORE banking software, transactional data, and server operating systems?
6. Do back-ups or archives still exist for Arab Bank Jordan's/Lebanon's CORE banking software, transactional data, and server operating systems (including back-ups or archives stored on media such as, among others, magnetic tape cartridges, optical disks, or hard drives), and if not, when were they destroyed?
7. What type of server hardware and operating systems did Arab Bank Jordan/Lebanon use in each of the bank's branches for hosting its CORE banking software?
8. Has Arab Bank Jordan/Lebanon maintained possession of its branch-based server hardware used for hosting the bank's CORE banking software during the relevant period? If not, when was the bank's branch-based hardware destroyed?
9. In each of Arab Bank Jordan's/Lebanon's branches, what methods did the bank use for creating back-ups or archives of each respective branch's CORE banking software, transactional data, and server operating system?
10. Do back-ups or archives still exist for Arab Bank Jordan's/Lebanon's branch-based CORE banking software, transactional data, and server operating systems (including back-ups or archives stored on media such as, among others, magnetic tape cartridges, optical disks, or hard drives), and if not, when were they destroyed?

6. Credit and Debit Card Systems.

A. Please answer for each of Arab Bank's operations/branches in (1) the Palestinian Territories, (2) Jordan and (3) Lebanon:

1. What server and database application did Arab Bank Palestine/Jordan/Lebanon use to track the credit card and debit card transactions for its customers during the relevant period?
2. Has Arab Bank Palestine/Jordan/Lebanon maintained possession of each of the servers used to operate the database that tracked credit card and debit card transactions?

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3. If not, when were the servers destroyed?
4. Has Arab Bank Palestine/Jordan/Lebanon maintained possession of back-up or archives (e.g., stored on media such as magnetic tapes, optical disks, hard drives, etc.) of the data on the servers that tracked credit card and debit card transactions?
5. If so, does Arab Bank Palestine/Jordan/Lebanon have those back-up or archive media and, if not, when were they destroyed?
6. If Arab Bank Palestine/Jordan/Lebanon maintained possession of each of the servers or back-up or archive media tapes containing the data on the servers that tracked credit card and debit card transactions, has the bank searched those for records responsive to the Document Production Order, and if so, can you provide us with the search terms or database query scripts you have used?
7. What methods did Arab Bank Palestine/Jordan/Lebanon use for authorizing, clearing, and settling VISA and MasterCard transactions during the relevant period?
8. How did Arab Bank Palestine/Jordan/Lebanon connect to VISA's network and MasterCard's network during the relevant period?

7. *Check Processing, Clearing and Settlement.*

A. Arab Bank's Branches in the Palestinian Territories:

1. Did Arab Bank use the following central check clearinghouses for clearing and settling U.S. dollar-denominated checks during the relevant period?
 - a. Arab Bank Palestine: Palestine Monetary Authority's ("PMA") check clearinghouse.
 - b. Arab Bank Jordan: Central Bank of Jordan's check clearinghouse.
 - c. Arab Bank Lebanon: Banque du Liban's ("BDL") check clearinghouse.
2. What server and database application did Arab Bank Palestine/Jordan/Lebanon use to track checks processed through the appropriate check clearinghouse during the relevant period?
3. Has Arab Bank Palestine/Jordan/Lebanon maintained possession of the server(s) used to operate the database that tracked checks processed through the appropriate check clearinghouse during the relevant period? If not, when were they destroyed?
4. Has Arab Bank Palestine/Jordan/Lebanon maintained possession of backup or archive media containing the data on the server(s) that tracked checks processed through the appropriate check clearinghouse during the relevant period?
5. If so, does Arab Bank Palestine/Jordan/Lebanon have those back-up or archive media and, if not, when were they destroyed?
6. If Arab Bank Palestine/Jordan/Lebanon maintained possession of the server(s), or back-up or archive media containing the data on the server(s) that tracked checks processed through the appropriate check clearinghouse during the relevant period, has the bank searched those for records responsive to the Document Production Order? If so, please provide us with the search terms or database query scripts you have used.

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8. **Palestinian National Payment System (“PNPS”).** *Arab Bank was a participant in the Real-Time Gross Settlement System or the Palestinian National Payment System (“PNPS”) for domestic transfers between banks participating in the system and operating in the Palestinian Territories.*

A. Arab Bank’s Branches in the Palestinian Territories:

1. What server and database application did Arab Bank Palestine use to track PNPS transactions during the relevant period?
2. Has Arab Bank Palestine maintained possession of the server or servers used to operate the software application and database that tracked PNPS transactions during the relevant period?
3. If not, when was server hardware destroyed?
4. Has Arab Bank Palestine maintained possession of back-up or archive media containing the data on the server(s) that tracked PNPS transactions during the relevant period?
5. If so, does Arab Bank Palestine have those back-up or archive media and, if not, when were they destroyed?
6. If Arab Bank Palestine maintained possession of the server(s), or backup or archive media containing the data on the servers that tracked PNPS transactions during the relevant period, has the bank searched those for records responsive to the Document Production Order? If so, please provide us with the search terms or database query scripts you have used.

9. Consumer Money Transfer Networks.

A. Please answer the following questions for each of Arab Bank’s operations/branches in (1) the Palestinian Territories, (2) Jordan and (3) Lebanon:

1. During the relevant period, did Arab Bank Palestine/Jordan/Lebanon participate in Western Union’s or MoneyGram’s consumer money transfer networks?
2. If so, what software application did Arab Bank Palestine/Jordan/Lebanon use to process and track electronic funds transfers using Western Union or MoneyGram?
3. If so, what server hardware and operating system did Arab Bank Palestine/Jordan/Lebanon use for hosting the bank’s Western Union/MoneyGram-related software application on?
4. If so, what methods did Arab Bank Palestine/Jordan/Lebanon use for creating back-ups or archives of the relevant server?
5. Do back-ups or archives of Arab Bank Palestine/Jordan/Lebanon’s Western Union/MoneyGram-related software, database, and transactional data still exist (including back-ups or archives stored on media such as, among others, magnetic tape cartridges, optical disks, or hard drives), and if not, when were they destroyed?

Given the level of technical detail involved in responding to Plaintiffs’ ESI questions, it may also be helpful to schedule an extensive meet & confer between Arab Bank’s in-house IT expert or outside IT consultant together with Plaintiffs’ IT consultant to clarify some of these

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issues. If you are amenable to that, we can schedule a follow up meet and confer conference between IT professionals at your convenience. In the meantime, we look forward to the courtesy of your replies.

Sincerely,

/s/ Gary M. Osen

cc: All Counsel